

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ELI FULTZ,)	CASE NO: 3:19-cv-000952
)	
Plaintiff,)	JUDGE JACK ZOUHARY
)	
v.)	
)	JOINT STATUS REPORT
NORFOLK SOUTHERN RAILWAY)	
COMPANY,)	
)	
Defendant.)	

The parties hereby submit their joint report on the status of this matter.

Discovery in this case has been continuing. The parties have exchanged paper discovery and plaintiff has been deposed. Defendant has obtained almost all of plaintiff's medical records except for those from a treating physician he has recently begun seeing. An authorization has been provided to plaintiff's counsel for the release of those records. The parties were in the process of scheduling a number of depositions of defendant's employees.

In response to the public health crisis involving COVID-19, Norfolk Southern has advised that in order to keep its employees safe they are not to attend any inperson events, including meetings with counsel and depositions. This mandate from the company is in place through the end of April 2020. As a result, the plans to schedule the depositions have been halted. Plaintiff's counsel has recently noticed 30(B)(6) depositions for May 13, 2020. Defendant has scheduled plaintiff for an IME on April 13, 2020, but at this point it is not clear that, given the circumstances, plaintiff will attend.

Due to the issues that have arisen with scheduling depositions and completing discovery, the parties are requesting a conference with the court to discuss the status of this case.

Respectfully submitted,

/s/ Robert E. Harrington, III

ROBERT E. HARRINGTON, III (0096206)

Harrington, Thompson, Acker
& Thompson, Ltd.

One North LaSalle Street

Suite 3150

Chicago, IL 60602

Tel: (312) 332-8811

Fax: (312) 332-2027

E-mail: bharrington@harringtonlaw.com

htah@harringtonlaw.com

Attorney for Plaintiff

/s/ Sheila A. McKeon

SHEILA A. MCKEON (0012067)

JOSEPH S. CENTER (0092570)

GALLAGHER SHARP

420 Madison Avenue, Suite 1250

Toledo, Ohio 43604

Tel: (419) 243-7724

Fax: (419) 241-4866

E-mail: smckeon@gallaghersharp.com

jcenter@gallaghersharp.com

Attorneys for Defendant

Norfolk Southern Railway Company

CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Joint Status Report* was filed electronically this 23rd day of March 2020. Notice of this filing will be sent to all parties by operation of the court's electronic filing system. Parties may access this filing through the court's system.

/s/ Sheila A. McKeon (0012067)

SHEILA A. MCKEON (0012067)

JOSEPH S. CENTER (0092570)

GALLAGHER SHARP

Attorneys for Defendant

Norfolk Southern Railway Company